

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY



Order Filed on January 18, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Dalton R Davis

Debtor(s).

Case No.: 14-21887


Chapter: 13

Judge: Andrew B. Altenburg, Jr.

**ORDER GRANTING MOTION AND PERMITTING DEBTOR
TO ENTER INTO LOAN MODIFICATION AGREEMENT**

The relief set forth on the following page, numbered two, is hereby **ORDERED**.

DATED: January 18, 2019



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

THIS MATTER having been opened to the Court upon motion requesting the entry of an Order approving a loan modification agreement between the Debtor(s) and Ocwen Loan Servicing, LLC (“Creditor”) Doc. No. 135 (the “Motion”) and no objections have been filed, and sufficient cause shown,

It is hereby **ORDERED** that:

1. The Motion is hereby granted and the Debtor is permitted to enter into the loan modification agreement with Creditor attached as an Exhibit to the Motion (the “Agreement”);
2. The Mortgage secured by real property owned by the Debtor as identified in the Agreement is hereby modified in accordance with the terms set forth in the Agreement.
3. The Chapter 13 Trustee shall suspend disbursements to Creditor pending completion of loan modification as set forth in the Agreement and all money that would otherwise be paid to Creditor, be held until the arrearage portion of the claim is amended to zero, or the claim is withdrawn, or the Trustee is notified by the Creditor that the modification was not consummated;
4. If post-petition arrears are capitalized into the loan modification, the Creditor shall file an amended post-petition claim within thirty (30) days of the date of this Order. Upon receipt of an amended post-petition claim, the Trustee may disburse the funds being reserved pursuant to this order to other creditors in accordance with provisions of the confirmed plan;
5. The Creditor shall notify the Trustee and the Debtor’s attorney in the event the modification is not consummated. Any money that was held by the Trustee for the Creditor pursuant to a timely proof of claim pending completion of the modification shall then be paid to Creditor;
6. Debtor shall file an Amended Schedule J and Modified Plan within twenty (20) days of this Order;
7. Communication and/or negotiations between Debtor and mortgagees/mortgage servicers about loan modification shall not be deemed as violation of the automatic stay; and any such communication or negotiation shall not be used by either party against the other in any subsequent litigation.
8. The Debtors shall provide the Trustee with a fully executed copy of the Agreement upon completion.

Imaged Certificate of Notice Page 3 of 4

United States Bankruptcy Court
District of New JerseyIn re:
Dalton R. Davis
DebtorCase No. 14-21887-ABA
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin
Form ID: pdf903Page 1 of 2
Total Noticed: 1

Date Rcvd: Jan 18, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 20, 2019.

db +Dalton R. Davis, 16 Northwood Drive, Vineland, NJ 08360-4108

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 20, 2019

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 18, 2019 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor Wells Fargo Bank, NA nj.bkecf@fedphe.com
 Andrew L. Spivack on behalf of Creditor WELLS FARGO BANK, N.A. nj.bkecf@fedphe.com
 Anthony L. Velasquez on behalf of Creditor FNA Jersey BOI LLC avelasquez@tryko.com
 Denise E. Carlon on behalf of Creditor The Bank of New York Mellon, Et Al...
 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Harold N. Kaplan on behalf of Creditor HSBC Bank USA National Association hkaplan@rasnj.com,
 informationathnk@aol.com
 Harold N. Kaplan on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION hkaplan@rasnj.com,
 informationathnk@aol.com
 Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
 summarymail@standingtrustee.com
 Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
 James Patrick Shay on behalf of Creditor WELLS FARGO BANK, N.A. jpshay@mdwcg.com,
 jpshay@gmail.com
 Joshua I. Goldman on behalf of Creditor BANK OF AMERICA, N.A. jgoldman@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 Joshua I. Goldman on behalf of Creditor The Bank of New York Mellon, Et Al...
 jgoldman@kmlawgroup.com, bkgroup@kmlawgroup.com
 Kevin M. Buttery on behalf of Creditor The Bank of New York Mellon, as Trustee for CIT
 Mortgage Loan Trust 2007-1 bkyefile@rasflaw.com
 Moshe Rothenberg on behalf of Debtor Dalton R. Davis mosherothenbergbkesq@gmail.com,
 alyson@mosherothenberg.com;ajohn880@gmail.com
 Sean M. O'Brien on behalf of Creditor Wells Fargo Bank, N.A., as Trustee, on behalf of the
 registered holders of MASTR Asset Backed Securities Trust 2007-NCW, Mortgage Pass-Through
 Certificates Series 2007-NCW sobrien@flwlaw.com
 Sean M. O'Brien on behalf of Creditor Wells Fargo Bank, N.A., as Trustee, in trust for the
 registered holders of MASTR Asset Backed Securities Trust 2007-NCW, Mortgage Pass-Through
 Certificates sobrien@flwlaw.com
 Sindi Mncina on behalf of Creditor HSBC Bank USA National Association smncina@rascrane.com
 Steven K. Eisenberg on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION
 bkecf@sterneisenberg.com,
 jmcnally@sterneisenberg.com;skelly@sterneisenberg.com;bkecf@sterneisenberg.com
 Steven K. Eisenberg on behalf of Creditor HSBC Bank USA, National Association, as Indenture
 Trustee, by its servicing agent, Ocwen Loan Servicing, LLC bkecf@sterneisenberg.com,
 jmcnally@sterneisenberg.com;skelly@sterneisenberg.com;bkecf@sterneisenberg.com
 Steven K. Eisenberg on behalf of Creditor The Bank of New York Mellon, as Trustee for CIT
 Mortgage Loan Trust 2007-1 bkecf@sterneisenberg.com,
 jmcnally@sterneisenberg.com;skelly@sterneisenberg.com;bkecf@sterneisenberg.com
 Steven P. Kelly on behalf of Creditor HSBC Bank USA, National Association, as Indenture
 Trustee, by its servicing agent, Ocwen Loan Servicing, LLC skelly@sterneisenberg.com,
 bkecf@sterneisenberg.com

District/off: 0312-1

User: admin
Form ID: pdf903

Page 2 of 2
Total Noticed: 1

Date Rcvd: Jan 18, 2019

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Steven P. Kelly on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION
skelly@sterneisenberg.com, bkecf@sterneisenberg.com

TOTAL: 21